IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 4495 of 2004(I)
---

PETITIONER:
---

1. KARTHIAYANI NARAYANAN, AGED 75,
W/O.NARAYANAN, MADATHIPARAMBIL HOUSE,
NORTH ADUVASSERY, N.PARUR.

2. SURESH, S/O. NARAYANAN,
MADATHIPARAMBIL HOUSE, NORTH ADUVASSERY, N.PARUR.

BY ADV. SRI.V.A.PRADEEP KUMAR

RESPONDENTS:
---

1. DISTRICT COLLECTOR, ERNAKULAM.

2. TAHSILDAR,
TALUK OFFICE, N.PARUR.

3. VILLAGE OFFICER, KUNNUKARA.

4. BRANCH MANAGER,
UNION BANK OF INDIA, ATHANI BRANCH,
ERNAKULAM DISTRICT.

BY SMT.SMITHA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 4495/2004

**APPENDIX**

PETITIONER'S EXHIBITS

P1 : COPY OF THE NOTICE OF SALE OF IMMOVABLE PROPERTY ISSUED BY 2ND RESPONDENT BEARING NO.C4/47/00-01/BD.

P2 : COPY OF NOTICE ISSUED BY 2ND RESPONDENT DATED 20/01/2004.

P3 : COPY OF PETITION FIELD BY 2ND PETITIONER BEFORE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

jg

**C.N.RAMACHANDRAN NAIR, J.**

**----------**

**WP(C) No. 4495 of 2004**

**----------**

**Dated, this the 20th day of November, 2007**

**J U D G M E N T**

Petitioners are challenging recovery proceedings for recovery of agricultural loan and interest thereon taken by them from the 4th respondent. The liability is admitted and all what the petitioners have stated are about their personal difficulties in repaying the loan. This writ petition itself is filed in 2004 and this Court granted a conditional stay at that time. It is not known whether liability is settled later. In any case, I grant six month's time to the petitioners to make application for OTS benefit before the 4th respondent Bank, or to approach the Agricultural Debt Relief Forum, constituted by the Government for granting incentives to the farmers, who are in debt, and to settle liability. This writ petition is, accordingly, closed leaving freedom to the petitioners to settle their liability. If liability is not settled by the petitioners in six months, respondents are free to proceed with recovery.

**(C.N.RAMACHANDRAN NAIR, JUDGE)**

jg